

Daisy 99 tablets, at Moro, Ark., alleging that the articles had been shipped by the Palestine Drug Co., St. Louis, Mo., in part on or about March 13 and in part on or about April 9, 1919, and transported from the State of Missouri into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Arthur's Sextone tablets consisted essentially of iron, zinc, caffeine, phosphates, and unidentified plant extractives; that the Thomas' emmenagogue pills consisted essentially of ferrous sulphate, aloes, and a trace of alkaloid; that the Bick's nerve tonic tablets consisted of two preparations, brown pills containing, essentially, compounds of zinc and iron, phosphorus, and phosphates and yellow tablets containing iron phosphate and strychnine; that the Bick's Sextone pills consisted of two preparations, chocolate-colored pills containing, essentially, calcium carbonate, iron oxid, plant extractives, and sugar and orange-colored pills containing, essentially, metallic iron, nux vomica extractives, and calcium carbonate; and that the Bick's Daisy 99 tablets consisted essentially of iron sulphate, methylene blue, cubebs, and copaiba.

Misbranding of the articles was alleged in substance in the libels for the reason that the following statements appearing in the labeling of the respective products, to wit, (Arthur's Sextone tablets) (wrapper) "\* \* \* Designed to Correct \* \* \* the Evil Results Following Sexual or Alcoholic Excesses, Overwork, Worry, etc. \* \* \* Sextone Tablets For Either Sex Composed of \* \* \* the Most Potent and Dependable Aphrodisiac Agencies," (circular) "\* \* \* Sextone Tablets \* \* \* cases of exhaustion of nervous energy, \* \* \* stimulate \* \* \* the Sexual Plexes, \* \* \* nourish the nervous system and build it up," (Thomas' emmenagogue pills) (box label) "Emmenagogue Pills recommended for Ammenorrhoea, Dysmenorrhoea and other Menstrual Troubles \* \* \* beginning treatment \* \* \* before the regular monthly period. \* \* \* Continue \* \* \* until relief is obtained," (Bick's nerve tonic tablets) (wrapper) "\* \* \* Nerve Tonic \* \* \* for Nervous Prostration and bodily aches and pains, a nerve \* \* \* tonic for all female complaints. \* \* \* for Weakness, Nervousness, Headache, Kidney Trouble, and loss of Power in either Sex. \* \* \* for female weakness, heart trouble and where a general breakdown of the nervous system exists \* \* \*" (Bick's Sextone pills) (box label) "Sextone Pills \* \* \* Composed of \* \* \* Aphrodisiac Agencies \* \* \*," (Bick's Daisy 99 tablets) (wrapper) "Bick's Daisy 99 \* \* \* Gonorrhoea Gleet and functional ailments of the Kidneys and Bladder in both Male and Female \* \* \*," were false and fraudulent in that the said articles contained no ingredients or combination of ingredients capable of producing the effects claimed for them.

On March 15, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9739. Adulteration and misbranding of pie filling compound. U. S. \* \* \* v. 25 Cases \* \* \* of \* \* \* Pie Filling Compound. Decree finding product adulterated and misbranded and ordering its release under bond. (F. & D. No. 14186. I. S. No. 472-t. S. No. C-2662.)**

On January 12, 1921, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 cases, more or less, each containing 48 packages, of lemon

flavor pie filling compound, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Jewel Tea Co., from Chicago, Ill., October 16, 1920, and transported from the State of Illinois into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Jewel Brand Lemon Flavor Pie Filling Compound \* \* \* Jewel Tea Co., Inc. Headquarters New York, New Orleans, Chicago, San Francisco \* \* \*"

Adulteration of the article was alleged in the libel for the reason that an artificially colored product consisting essentially of cornstarch, sugar, gelatin, and citric acid, and containing no eggs, had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article was mixed and colored in a manner whereby damage or inferiority was concealed.

Misbranding was alleged in substance for the reason that the statement on the label, "Lemon Flavor Pie Filling Compound," was false and misleading and deceived or misled the purchaser, and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On June 30, 1921, the Jewel Tea Co. having entered an appearance as claimant for the property and having admitted the allegations of the libel, judgment was entered finding the article to be adulterated and misbranded as alleged in the said libel, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that it be relabeled.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9740. Misbranding of Gold Medal compound pills. U. S. \* \* \* v. 3 Dozen and 5 Dozen Packages \* \* \* of \* \* \* Gold Medal Compound Pills. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13256, 13257. I. S. Nos. 358-t, 361-t, 362-t. S. Nos. C-2126, C-2127, C-2128.)

On August 14, 1920, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 3 dozen and 5 dozen packages of Gold Medal compound pills, remaining unsold in the original unbroken packages at Wichita, Kans., alleging that the article had been shipped by the S. Pfeiffer Mfg. Co., St. Louis, Mo., on or about March 22, July 1, and July 15, 1920, respectively, and transported from the State of Missouri into the State of Kansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of ferrous sulphate, oil of pennyroyal, and aloes.

Misbranding of the article was alleged in substance in the libels for the reason that certain statements regarding the therapeutic or curative effect thereof, appearing in the circular in each of the packages containing the said article, to wit, "\* \* \* Gold Medal Compound Pills Begin by taking one Pill before each meal \* \* \* Four or five days before the expected appearance of the menstrual flow, drink freely \* \* \* of hot ginger tea \* \* \* in cases of suppressed menstruation," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effect claimed, and the said statements were applied to the article so as to repre-